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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/867,432	05/31/2001	Keiichi Iwamura	862.C2241	7534
5514	7590	07/14/2005	<div>EXAMINER</div> <div>NAKHJAVAN, SHERVIN K</div>	
FITZPATRICK CELLA HARPER & SCINTO 30 ROCKEFELLER PLAZA NEW YORK, NY 10112			<div>ART UNIT</div> <div>2621</div>	<div>PAPER NUMBER</div>

DATE MAILED: 07/14/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	09/867,432	IWAMURA, KEIICHI	
	Examiner	Art Unit	
	Shervin Nakhjavan	2621	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-28 is/are pending in the application.
- 4a) Of the above claim(s) 2-11, 13-15 and 17-28 is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1, 12 and 16 is/are rejected.
- 7) ☐ Claim(s) ____ is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on ____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. ____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. ____. |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| Paper No(s)/Mail Date <u>7-15-02</u> . | 6) <input type="checkbox"/> Other: ____. |

DETAILED ACTION

Election/Restrictions

1. Applicant's election without traverse of group I (claims 1, 12 and 16) in the reply filed on 1-21-05 is acknowledged.

Claim Rejections - 35 USC § 102

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

3. Claims 1, 12 and 15 are rejected under 35 U.S.C. 102(e) as being anticipated by Wong (US 6,504,941).

Regarding claim 1, Wong teaches, an image processing apparatus comprising: generation means for generating digital data (Column 4, Lines 20-22 wherein generation of digital image is discussed with inherent means) which comprises a first data group required to maintain basic quality of the digital data wherein digital data, and a second data group required to maintain detailed quality (Column 4, Lines 30-38, wherein grouping is inherently performed based on extraction of LSBs which belong to second data group as being the detailed quality data, prior to changing of the LSBs by

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the means 110); changing means for changing the second data group in the digital data (Column 4, Lines 36-37 wherein means 110 is the changing means changing the predetermined bit being the LSB as discussed in Column 5, Lines 57-60 which is considered the detailed quality of data); and embedding means for embedding a digital watermark in the image which contains the changed second data group (Column 4, Lines 49-52, wherein means 126 is considered the embedding means for embedding the watermark into the modified image block Xr);

The method claim 12 corresponding to apparatus claim 1 above is taught by the functional steps of the apparatus or in alternative by steps of Figure 1B;

The storage medium of claim 16 storing the executable program codes for performing the steps of the apparatus claim 1 is discussed in Column 12, Lines 34-37.

Other prior art cited

4. Prior art of record cited and not relied upon is considered pertinent to applicant's disclosure.

The US Patent 6,895,101; US Patent 6,742,118; US Patent Application 20040071312; US Patent Application 20030012444; US Patent 6,272,634; US Patent 6,256,736 and US Patent 6,185,312 variously teach embedding of data into image related to applicant's invention as claimed.

Contact information

5. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Shervin Nakhjavan whose telephone number is (571)

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272-7395. The examiner can normally be reached on Monday through Friday from 8:00 am to 5:30 pm. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Joe Mancuso, can be reached at ((571) 272-7695.

Any response to this action should be mailed to:

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

Or faxed to:

(571) 273-8300 for *formal* communications,

Hand delivered responses: (Federal Express (Fed Ex), UPS, DHL, Laser, Action, Purolator, etc.)

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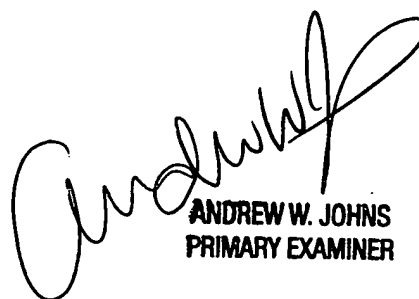
Randolph Building

401 Dulany Street

Alexandria, VA 22314

Any inquiry of a general nature or relating to the status of this application should be directed to the Tech center 2600 customer service office **(571) 272-2600**.

Shervin Nakhjavan *SN*
Patent Examiner
Group Art Unit 2621
July 8, 2005


ANDREW W. JOHNS
PRIMARY EXAMINER